

# Proposed Scottish Employment Injuries Advisory Council Bill

## Introduction

A proposal for a Bill to establish a Scottish Employment Injuries Advisory Council to shape, inform and scrutinise the social security available to people injured in the course of their employment. The consultation runs from 10 November 2020 to 1 February 2021. All those wishing to respond to the consultation are strongly encouraged to enter their responses electronically through this survey. This makes collation of responses much simpler and quicker. However, the option also exists of sending in a separate response (in hard copy or by other electronic means such as e-mail), and details of how to do so are included in the member's consultation document. Questions marked with an asterisk (\*) require an answer. All responses must include a name and contact details. Names will only be published if you give us permission, and contact details are never published – but we may use them to contact you if there is a query about your response. If you do not include a name and/or contact details, we may have to disregard your response. Please note that you must complete the survey in order for your response to be accepted. If you don't wish to complete the survey in a single session, you can choose "Save and Continue later" at any point. Whilst you have the option to skip particular questions, you must continue to the end of the survey and press "Submit" to have your response fully recorded. Please ensure you have read the consultation document before responding to any of the questions that follow. In particular, you should read the information contained in the document about how your response will be handled. The consultation document is available here: [Consultation Document Privacy Notice](#)

I confirm that I have read and understood the Privacy Notice attached to this consultation which explains how my personal data will be used

## About you

Please choose whether you are responding as an individual or on behalf of an organisation. Note: If you choose "individual" and consent to have the response published, it will appear under your own name. If you choose "on behalf of an organisation" and consent to have the response published, it will be published under the organisation's name.

an individual

Which of the following best describes you? (If you are a professional or academic, but not in a subject relevant to the consultation, please choose "Member of the public".)

Member of the public

**Optional: You may wish to explain briefly what expertise or experience you have that is relevant to the subject-matter of the consultation:**  
[REDACTED]

Please select the category which best describes your organisation

*No Response*

Please choose one of the following:

I would like this response to be published anonymously

Please provide your name or the name of your organisation. (Note: the name will not be published if you have asked for the response to be anonymous or "not for publication". Otherwise this is the name that will be published with your response).

[REDACTED]

Please provide details of a way in which we can contact you if there are queries regarding your response. Email is preferred but you can also provide a postal address or phone number. We will not publish these details.

[REDACTED]

## Aim and approach

Q1. Which of the following best expresses your view of establishing in law a new, independent Scottish Employment Injuries Advisory Council (SEIAC)?

Fully agree

Q2. Which of the following best expresses your view of giving a statutory Scottish Employment Injuries Advisory Council the following functions?

	Fully agree	Partially agree	Neutral	Partially disagree	Fully disagree	Unsure
<b>Scrutinise legislative proposals on the overarching design of the employment injuries assistance (EIA) system and its entitlement policy.</b>	X					
<b>Continually advise and recommend changes to EIA (including on policy design and entitlement)</b>	X					
<b>Investigate and review emerging industrial and employment hazards</b>	X					
<b>Commission its own research and make recommendations</b>	X					

**Please explain the reasons for your response.**

System/process needs to be more open and transparent to ie society, trade unions activists, legal professionals .

Industries have changed, new ways of working introduced over years, more research and data available now that can challenge some of current legislation / standards/thresholds as well as some working practices that can no longer demean to be safe and have potential on individuals that do not appear

Q2. Which of the following best expresses your view of giving a statutory Scottish Employment Injuries Advisory Council the following functions?

acutely but at much later date. Especially apt as we have a higher number of ageing workforce across many sectors/industries. Society has changed, employers demand more, better productively but do not take into account on either physical or mental effect this may have on their workforce.

Q3. What (if any) do you think would be the main advantages of the proposed Bill?

More open and transparent  
Trust that accurate research conducted; new control measures identified, better monitoring, implementation and surveillance. All enable more trust and faith that concerns/issues identified are being recognised and followed through to improve standards, introduce new guidance or law to protect others

Q4. What (if any) do you think would be the main disadvantages of the proposed Bill?

*No Response*

Q5. Which of the following best expresses your view of making it a legal requirement that the SEIAC's membership includes workers with experience of being exposed to the risk of workplace injury, and their representatives, including trade unions?

Fully agree

**Please explain the reasons for your response.**

Trade union activists have much more practical knowledge of actual work place activities within all industries. Many have on the ground experience itself in addition to being extensively trained by own union or TUC network. Employees/ members trust reps as they challenge/ question working practices if they concerns and it's behalf health, safety and welfare's to do so and not an in many cases unscrupulous employers who deem health and safety a financial burden, bureaucratic and tedious and impeding business objectives and profits. Because of reduction in resources ie financially and staff within HSE and other govt enforcing agencies, many employees take risk that they will unlikely to be caught out. However unfortunately this belief often contributes many employees to be seriously injured with life changing impact or even their lives

Q6. Which of the following best expresses your experience of the current Industrial Injuries Disablement Benefit (IIDB) scheme (personally and/or professionally)?

No experience of the scheme

## Financial Implications

Q7. Taking account of both costs and potential savings, what financial impact would you expect the proposed Bill to have on:

	Significant increase in cost	Some increase in cost	Broadly cost-neutral	Some reduction in cost	Significant reduction in cost	Unsure
<b>(a) Government and the public sector</b>		X				
<b>(b) Businesses</b>		X				
<b>(c) Individuals</b>			X			

**Please explain the reasons for your response**

Less accidents/incidents due to better and safer working practices will result in less sickness and absence, employees will feel safer and likely to more productive if they believe their employees actually does take health and safety seriously. The nitial outgoings to improve conditions/working environment will save long term loss of life/injury, personal injury claims, legal action by HSE or police in addition prevent huge damage to public reputation of company/business

Q8. Are there ways in which the Bill could achieve its aim more cost-effectively (e.g. by reducing costs or increasing savings)?

*No Response*

## Equalities

Q9. What overall impact is the proposed Bill likely to have on equality, taking account of the following protected characteristics (under the Equality Act 2010): age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation?

Neutral (neither positive nor negative)

Q10. In what ways could any negative impact of the Bill on equality be minimised or avoided?

*No Response*

## Sustainability

Q11. Do you consider that the proposed Bill can be delivered sustainably, i.e. without having likely future disproportionate economic, social and/or environmental impacts?

Yes

Q11. Do you consider that the proposed Bill can be delivered sustainably, i.e. without having likely future disproportionate economic, social and/or environmental impacts?

**Please explain the reasons for your response.**

If properly monitored at regular intervals to ensure that no additional layers of red tape/ bureaucracy starts to reappear creating slippage in timelines, no one taking responsibility to make decisions in timely manner then trust, cooperation and participation to try and address/ resolves matters will disappear resulting in attempted new approach/system to fail

## General

Q12. Do you have any other comments or suggestions on the proposal?

*No Response*